

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:)	
)	CHAPTER 11
BEAUTIFUL BROWS, L.L.C.,)	
)	CASE NO. 18-66766
Debtor.)	
_____)	

AFFIDAVIT OF DEFAULT

STATE OF GEORGIA

MUSCOGEE COUNTY

PERSONALLY APPEARED before me, the undersigned attesting officer, NICHOLAS J. GARCIA, who, after being duly sworn, deposes and states under oath as follows:

1.

I am over the age of eighteen (18) years, am of sound mind to provide this affidavit, have personal knowledge of its contents, and voluntarily give this affidavit.

2.

I am counsel for the Creditor Simon Property Group, L.P. (hereinafter the "Creditor") in the above-referenced Chapter 11 Bankruptcy Case.

3.

On January 25, 2019, this Honorable Court entered a Consent Order Requiring Strict Compliance by the Debtor (hereinafter the "Strict Compliance Order"). Pursuant to that Order, the Debtor Beautiful Brows, LLC (hereinafter the "Debtor") was required, amongst other obligations, to pay post-petition rent arrears to the Creditor for the Town Center at Cobb Lease by the close of business on January 31, 2019.

4.

The Debtor failed to make the required payment for the Town Center at Cobb Lease prior to the close of business on January 31, 2019, and the Debtor further announced its intent through its counsel to reject the Town Center at Cobb lease and to vacate the corresponding property.


5.

By failing to pay the post-petition rent arrears owed by the Debtor on the Town Center at Cobb Lease, the Debtor is in default of the Strict Compliance Order entered on January 25, 2019 as to the Town Center at Cobb Lease.

This 12th day of February, 2019.


Nicholas J. Garcia
Georgia Bar Number 863498

Sworn to and subscribed before me
this 12 day of February, 2019.


Notary Public
My Commission Expires: 11-21-20



CERTIFICATE OF SERVICE

I hereby certify that on this day I caused a copy of the within and foregoing *Affidavit of Default* to be served electronically via CM/ECF and upon the following interested parties by depositing a true and correct copy of same in the United States first class mail, in a properly addressed envelope with adequate postage affixed thereon, to ensure delivery to:

Office of the U.S. Trustee
362 Richard B. Russell Bldg.
75 Ted Turner Drive, SW
Atlanta, GA 30303

Beautiful Brows, LLC
5002 North Royal Atlanta Dr.
Suite M
Tucker, GA 30084

S. Gregory Hays
Hays Financial Consulting, LLC
2964 Peachtree Road, NW, Suite 555
Atlanta, GA 30305

Jason L. Pettie
Jason L. Pettie, PC
P.O. Box 17936
Atlanta, GA 30316

Respectfully submitted, this 12th day of February, 2019.

HALL BOOTH SMITH, P.C.

/s/ Nicholas J. Garcia

NICHOLAS J. GARCIA

Georgia Bar No. 863498

Attorney for Simon Property Group, L.P.

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